

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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STRIKE 3 HOLDINGS, LLC,	:	
	:	Case No. 1:19-cv-07256-WFK-CLP
Plaintiff,	:	
	:	
vs.	:	
	:	
JOHN DOE subscriber assigned IP address	:	
67.245.246.132,	:	
	:	
Defendant.	:	
-----X		

NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff Strike 3 Holdings, LLC (“Plaintiff”), by and through its undersigned counsel, hereby submits this Notice of Supplemental Authority in Further Support of its Motion for Leave to Serve a Third Party Subpoena Prior to a Rule 26(f) Conference (“Motion”) [Dkt. 7].

On July 14, 2020, the United States Court of Appeals for the District of Columbia Circuit reversed a decision by a District Court that denied similar relief and dismissed Plaintiff’s suit without prejudice. *Strike 3 Holdings, LLC v. Doe*, No. 18-7188, __ F.3d __, 2020 WL 3967836 (D.C. Cir. July 14, 2020), *rev’g and remanding*, 351 F. Supp. 3d 160 (D.D.C. 2018). A copy of this decision is enclosed for Your Honor’s consideration as **Exhibit A**.

On June 30, 2020, the Honorable Noel L. Hillman, U.S.D.J., reversed a decision by a magistrate judge denying similar relief in thirteen (13) matters in the District of New Jersey. *Strike 3 Holdings, LLC v. Doe*, No. 18-12585, 2020 WL 3567282 (D.N.J. June 30, 2020), *rev’g and remanding*, 2019 WL 5446239 (D.N.J. Oct. 24, 2019). A copy of this decision is enclosed for Your Honor’s consideration as **Exhibit B**.

Although neither decision is binding on this Court, Plaintiff respectfully requests that Your Honor consider both when issuing a decision on its pending Motion [Dkt. 7].

Dated: 07/21/2020

Respectfully submitted,

By: /s/ John C. Atkin
John C. Atkin, Esq.